

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: August 2, 2010
POSITION: Oppose

BILL NUMBER: SB 962
AUTHOR: C. Liu

BILL SUMMARY: Prisoners: Termination of Parental Rights

This bill would authorize the California Department of Corrections and Rehabilitation (CDCR) to establish a project to facilitate the participation of prisoners in child dependency proceedings at a prison designated by the CDCR. It would also authorize prisoner participation in such hearings though videoconferencing.

FISCAL SUMMARY

This bill would allow the CDCR to accept donated materials and services in order to implement a program at a prison designated by the CDCR to facilitate the participation of incarcerated parents in dependency court hearings. We note that this measure does not require the CDCR to implement this program, even if a sufficient amount of private donations are made available.

The requirements for a court, as provided for in this measure, would be discretionary, and therefore, would not impose costs on the courts. However, Finance notes that creating an expectation of conferencing options would impose General Fund cost pressures.

SUMMARY OF CHANGES

Amendments to this bill since our analysis of the April 20, 2010 version include the following significant amendments which do not change our position:

- Removes the requirement that Finance make a determination that donated funds are sufficient to support the pilot program.
- States that this program is contingent upon the receipt of sufficient donations of materials and services by the department.
- Makes this program ongoing, not a pilot program, at a prison determined by the CDCR.

COMMENTS

The Department of Finance is opposed to this bill. Although this measure would not require implementation of the program absent sufficient private funding being made available, it would create a new cost and workload pressure that may or may not be funded, depending on private donation collections. During this time of limited state resources and cutbacks, it is not appropriate to create a new program, and impose new workload.

Under existing law, notice must be provided to a prisoner in advance of certain court proceedings regarding the prisoner's child. This bill would, at a court's discretion, allow a prisoner to participate in a child dependency hearing by videoconference, provided such technology is available. The bill also would state that it is the intent of the Legislature to prevent inmates from being removed from specified rehabilitative and work programs as a result of the inmate participating in child dependency programs. The bill would also authorize the CDCR to establish a pilot project to facilitate the participation of incarcerated parents in dependency court hearings, to be funded with private funds.

Analyst/Principal (0230)K. Gmeinder	Date	Assistant Program Budget Manager Zlatko Theodorovic	Date
--	------	--	------

Department Deputy Director	Date
----------------------------	------

Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
----------------------	-----------------------------

BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

C. Liu

August 2, 2010

SB 962

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	Code
0250/Jud Branch	LA	No	-----	See Fiscal Summary			-----		0001
5225/Corr & Rehab	SO	No	-----	See Fiscal Summary			-----		0001